IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6337 OF 2005

Shri Bapuso Dadu Patil . .. Petitioner.

vs.

Government of Maharashtra

& Ors. .. Respondents.

Mr. Amit B. Borkar for petitioner.

Mr. M.R. Suryawanshi for respondent no.3.

CORAM : S.U. KAMDAR, J.

DATE : 20th December, 2005.

P.C.:

. The learned counsel for the petitioner states that his client is withdrawing the suit being Suit No. 339 of 2003. The suit is accordingly dismissed as withdrawn. However, the issue in the suit i.e. whether there is an unauthorised extension carried out or not in respect of house no. 63 situated in Akurde Grampanchayat, Tal. Panhala, District Kolhapur is referred to the Collector. The Collector is directed to consider all the documents produced by the petitioner and if necessary take inspection by visiting the premises and determine whether there is unauthorised extension or not and thereafter pass appropriate order. The order of the Collector will not be given effect to for a period

of two weeks from the date of the service of the same on the petitioner within which time the petitioner will be entitled to adopt appropriate legal proceedings to challenge the said order if so necessary. Petition disposed of accordingly. No order as to costs.